

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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MARTIN J. WALSH  
SECRETARY OF LABOR,  
UNITED STATES DEPARTMENT OF LABOR,

Petitioner,

v.

QUALITY INN AND SUITES – DANVILLE,  
JACOB ADIGWE and EZEKIEL ADIGWE

Respondents.

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Exhibit A

Civil Action No. \_\_\_\_\_

**DECLARATION OF LUIS NIEVES**

Pursuant to 28 U.S.C. § 1746, I, Luis Nieves, declare under penalty of perjury as follows:

1. I have been employed by the Wage and Hour Division of the United States Department of Labor (“Wage and Hour”) since 2009. I am currently an investigator assigned to the Wilkes Barre, Pennsylvania, District Office in the Harrisburg Field Office.
2. As a Wage and Hour investigator I conduct investigations of employers to ensure compliance with the various acts that the Wage and Hour Division enforces. When necessary, I am involved in the drafting and serving of administrative subpoenas issued by the Wage and Hour Administrator. Pursuant to

our authority under the Fair Labor Standards Act, 20 U.S.C. § 201 et seq. (the “FLSA”) my office is currently investigating Quality Inn and Suites – Danville, and its purported owners, Jacob Adigwe and Ezekiel Adigwe (“Respondents”).

3. The Wage and Hour investigation concerns, among other things, wages paid to employees who worked for Respondents beginning on or about January 3, 2019, to the present. Wage and Hour is investigating, among other things, whether Respondents employed these employees pursuant to the FLSA and if so, whether Respondents violated the FLSA with respect to these employees.

4. In order to obtain information relevant to Wage and Hour’s investigation, on February 16, 2022, Mark Watson, Regional Administrator of the Northeast Region of the Wage and Hour Division issued administrative subpoenas *deuces tecum* directed to Quality Inn and Suites – Danville and its purported owners, Jacob Adigwe and Ezekiel Adigwe for documents concerning the ownership of Quality Inn and Suites – Danville, and the employment of workers by all three Respondents.

5. As Regional Administrator, Mr. Watson is authorized to issue administrative subpoenas by delegation of authority from the Secretary of Labor and the Acting Administrator of the Wage and Hour Division. On February 17, 2022 our office served in person that administrative subpoena on Jessie Houston, a


manager at the Quality Inn and Suites – Danville, at the business location at 37 Valley West Road, Danville, Pennsylvania.

6. To date, Respondents have failed to produce documents subpoenaed on February 16, 2022, or to state a valid objection to the subpoena. In fact, Wage and Hour has not received any formal response to the subpoena. Respondents also failed to produce documents in response to prior informal communications.

7. The documents subpoenaed on February 16, 2022, are all relevant to Wage and Hour's investigation.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 5/5/2022

  
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Luis Nieves  
Wage and Hour Investigator  
U.S. DOL, Wage and Hour Div.